

# **Redevelopment Study and Preliminary Investigation Report**

## **Block 159, Lots 7, 8, 9, 10, 11 and 12 (Nuno's Roselle Street Redevelopment)**

**City of Linden**  
Union County, New Jersey

March 14, 2021

Prepared by:

**ricci**planning  
177 Monmouth Avenue  
Atlantic Highlands, NJ 07716



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Paul N. Ricci, PP, AICP  
New Jersey Professional Planner  
License No.: LI005570

*The original of this document was signed  
and sealed in accordance with New Jersey Law*

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## **Introduction**

On December 15, 2020, the Linden City Council passed Resolution No. 2020-349, which authorized the Linden Planning Board to undertake a preliminary investigation to determine whether or not Block 159, lots 7, 8, 9, 10, 11 and 12 in the City of Linden may be designated as an area in need of redevelopment in accordance with applicable New Jersey Law. A copy of Resolution No. 2020-349 is provided in Appendix A.

This report documents and analyzes the existing conditions of the aforementioned tax parcels and makes a determination as to whether or not they may be designated as an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.). The information contained in this report will assist the Linden Planning Board in making a recommendation to the Linden City Council as to whether or not it should adopt a resolution determining that the aforementioned tax parcels are in need of redevelopment.

## **Study Area Description**

The area in question is known as Block 159, Lots 7, 8, 9, 10, 11 and 12. The parcels are contiguous and located in the north-central part of the city. They have frontage on Roselle Street (Union County Route No.: 619), Hussa Street, and Ziegler Avenue. They have a combined area of approximately 0.86 acres and are hereinafter referred to as the Study Area.

Appendix B provides a copy of Sheet 68 of the official tax map of the City of Linden. Appendix C provides aerial imagery dating from 2015.

## **Existing Land Use**

With the exception of Lot 12, New Jersey's MOD-IV property tax assessment database indicates that the Study Area is assessed as "Class 4A (Commercial)." The MOD-IV property tax assessment database indicates that Lot 12 is assessed as "Class 2 (Residential, Four Families or Less)."



The observed land use indicates that the entire Study Area is developed as one site, namely that of a restaurant/tavern (Nuno's Pavilion) with associated: banquet hall facilities; lower floor sports bar and billiard room; second-story office space; and, parking.

Commercial and residential uses surround the Subject Area, with commercial uses being concentrated along Roselle Street (Union County Route No.: 619).

### **Ownership**

A review of New Jersey's MOD-IV property tax assessment database indicates that the entire Study Area is currently owned by Nu-Win, Inc.

### **Environmental Constraints**

A review of the latest digital geographic data of the New Jersey Department of Environmental Protection and the Federal Emergency Management Agency indicates that the Study Area does not contain mapped environmental constraints (viz., flood hazard areas, wetlands, lakes, and streams).

In addition, it is noted that the Study Area is not listed on the current Known Contaminated Sites List of the New Jersey Department of Environmental Protection's Site Remediation Program.

### **Zoning**

The Study Area is located in the C-2 (Retail Commercial) and R-2b (Two-Family — 40 Feet) zone districts, as follows:

- Lot 7: R-2b (Two-Family — 40 Feet) Zone District;
- Lot 8: C-2 (Retail Commercial) Zone District;
- Lot 9: C-2 (Retail Commercial) Zone District;
- Lot 10: C-2 (Retail Commercial) Zone District;
- Lot 11: C-2 (Retail Commercial) Zone District; and,
- Lot 12: R-2b (Two-Family — 40 Feet) Zone District.

According to Schedule of Limitations that is provided in Chapter 31 of the Linden City Code, the following uses are principal permitted uses in the C-2 (Retail Commercial) Zone District:

- Animal hospitals;
- Banks;
- Bowling alleys;
- Childcare centers;
- Churches and places of worship;
- Clinics, assisted living facilities and nursing homes;
- Convenience stores;
- Data processing and communications studies establishments;
- Finance and real estate offices;
- Fine art schools;
- Food stores;
- Galleries (art);
- Martial arts instruction;
- Medical campuses;
- Non-profit clubs and lodges;
- Offices, professional and business;
- Parks and playgrounds;
- Physical fitness studios/gyms;
- Pool parlors and arcades;
- Printing and publishing establishments;
- Private parking lots;
- Private garages;
- Recreation, commercial;
- Restaurants, not including drive-ins and fast food;
- Retail sales;
- Retail service;

- Two-family, semi-detached dwellings; and,
- Two-family dwellings.

The Schedule of Limitations that is provided in Chapter 31 of the Linden City Code further states that the following uses are principal permitted uses in the R-2b (Two-Family — 40 Feet) Zone District:

- Single-family dwellings;
- Two-family dwellings;
- Private non-profit and public schools;
- Hospitals;
- Churches and other similar places of worship;
- Funeral homes, provided said use is not less than a 500-foot radius distance from a church or other place of worship; and,
- Cemeteries.

Further details on the C-2 (Retail Commercial) and R-2b (Two-Family — 40 Feet) zone districts, including information on bulk regulations and required design standards, are provided in Chapter 31 of the Linden City Code.

## **Local Planning Context**

### **Master Plan**

The City of Linden's Master Plan was last reexamined in 2008. The 2008 Master Plan outlines the following objectives:

- Encourage municipal actions that will guide the long-range appropriate use and management of lands within Linden in a manner that will promote the public health, safety, morals, and general welfare of present and future residents.
- Prevent the degradation of the environment through the improper use of land.

- Encourage development that contributes to the enhancement and improvement of the community.

Redevelopment of the Study Area would support the achievement of the foregoing objectives.

In addition to the above, it is noted that the Linden Planning Board amended the city's master plan with the adoption of a new Land Use Element in December 2019. While the new Land Use Element made no changes to the proposed land use of the Study Area, it does make the recommendation that the city should continue to monitor the need for redevelopment and rehabilitation. This report supports the city in following this recommendation of the 2019 Land Use Element.

## **Redevelopment Area Criteria**

An area may be determined to be in need of redevelopment if it meets one or more of the redevelopment area criteria that are provided in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-5. These criteria are listed below:

- a) The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions. (N.J.S.A. 40A:12A-5[a]).*
- b) The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable. (N.J.S.A. 40A:12A-5[b]).*
- c) Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or*

- nature of the soil, is not likely to be developed through the instrumentality of private capital. (N.J.S.A. 40A:12A-5[c]).*
- d) Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community. (N.J.S.A. 40A:12A-5[d]).*
- e) A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general. (N.J.S.A. 40A:12A-5[e]).*
- f) Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated. (N.J.S.A. 40A:12A-5[f]).*
- g) In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise*

*zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone. (N.J.S.A. 40A:12A-5[g]).*

*h) The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. (N.J.S.A. 40A:12A-5[h]).*

In addition to the conditions that have been listed above, the Local Redevelopment and Housing Law notes that:

*A redevelopment area may include land, buildings or improvements[,] which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part. (N.J.S.A. 40A:12A-3).*

## **Redevelopment Analysis**

A careful analysis has revealed that the Study Area meets the “d” Criterion of the Local Redevelopment and Housing Law. In addition, the Study Area meets the “h” Criterion of the Local Redevelopment and Housing Law.

The following subsections detail the findings of this redevelopment analysis. In addition, Appendix D contains imagery of the Study Area, which was created during visits to the Study Area on December 17, 2020 and February 11, 2021.

**“a” Criterion**

As set forth in the Section 5 of the Local Redevelopment and Housing Law, an area or property may be designated in need of redevelopment when:

- a) The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions. (N.J.S.A. 40A:12A-5[a]).*

As demonstrated by instances of exposed wires, obvious leaks and associated water damage, broken floor tile and other issues, the building is in need for maintenance and repairs. However, although there is a need for maintenance and repairs, there is insufficient evidence at this time to conclude that the building is conducive to unwholesome living or working conditions to the extent that the “a” Criterion is fulfilled.

**“d” Criterion**

As set forth in the Section 5 of the Local Redevelopment and Housing Law, an area or property may be designated in need of redevelopment when:

- d) Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community. (N.J.S.A. 40A:12A-5[d]).*

The Study Area exhibits excessive land coverage. Indeed, the impervious coverage of the Study Area at or close to 100 percent. This is concerning due to the facts that: the Study Area is the largest single tract of land in the general area; there is extensive residential development in the R-2b (Two-Family — 40 Feet) Zone District located adjacent to the Study Area; and, as indicated by a review of recent aerial mapping, the Study Area has a higher percentage of impervious cover than

surrounding areas. These conditions result in an increased risk of localized flooding, which results from the existing development in the Study Area. This risk of localized flooding is confounded by the fact that onsite drainage facilities within the Study Area appear to be lacking or are insignificant.

In addition to the above, it is noted that the site has insufficient parking. Indeed, as indicated by architectural floor plans obtained from the Linden Fire Department, measurements taken from orthophotography and site observations, the building has approximately 23,850 square feet of floor area (n.b., this includes an estimated 12,350 square feet on the ground floor, an assumed 10,500 square feet in the basement and an assumed 1,000 square feet in the second floor). Based on the requirements of Section 31-27.19(m) of the Code of the City of Linden, eating and drinking establishments require one parking space per 150 square feet of floor area. This results in a parking requirement of 159 parking spaces (n.b.,  $23,850 \text{ square feet} \div 150 \text{ square feet} = 159 \text{ parking spaces}$ ). As reflected on aerial mapping of the site, however, there are only 58 demarcated parking spaces in the Study Area (n.b., this is visible in Appendix C). Thus, there is a deficiency of 101 parking spaces, which is 63.5 percent of the required total of 159 parking spaces. Clearly, this is a significant parking deficiency.

We note, however, that reports of the Linden Fire Department identify the occupancy of the building as between 500 and 749 people (n.b., these occupancies may occur at peak times when both banquet facilities are in use). If all guests were to arrive by private vehicle, the ratio of guests to onsite parking spaces ranges from 8.6 to 12.9 (n.b.:  $500 \text{ guests} \div 58 \text{ parking spaces} = 8.6$ ;  $749 \text{ guests} \div 58 \text{ parking spaces} = 12.9$ ). Clearly, it is highly unlikely to impossible that between 8.6 and 12.9 guests would be arriving in a single vehicle. After all, the average sedan only seats 5 passengers at 100 percent occupancy. Many municipalities regulate parking for restaurants and eating establishments at one space per three seats, which suggests that an allocation of three guests to one onsite parking space may be more realistic. If such a standard were applied in Linden, a total of between 167 and 250 onsite parking spaces would be needed to adequately serve between 500 and 749 people



(n.b.:  $500 \text{ guests} \div 3 \text{ seats} = 166.67$ , which rounds to 167;  $749 \text{ guests} \div 3 \text{ seats} = 249.67$ , which rounds to 250).

Given the foregoing, it is clear that the Study Area has a severe parking deficiency and is under-parked. This results not only in an inconvenience to surrounding areas as guests may look for on-street parking, but also has the significant potential to create dangerous conditions onsite via double and stacked parking, which may impede emergency access and the ability to quickly evacuate the site.

As a result of the conditions that have been described above, the Study Area meets the “d” Criterion for reason of excessive land use and its severe parking shortage, which is inappropriate for the use. These conditions impair the public health, safety and welfare, and, therefore, cause the Study Area to meet the “d” Criterion.

#### **“h” Criterion**

The Local Redevelopment and Housing Law was amended in 2003 to add the “h” Criterion to the list of statutory criteria. The “h” Criterion permits a municipality to designate an area in need of redevelopment if “[t]he designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation” (N.J.S.A. 40A:12A-5[h]).

As is demonstrated below, designation of the Study Area as an area in need of redevelopment under the “h” Criterion of the Local Redevelopment and Housing Law would be consistent with the smart growth planning principles and policies that are advanced by the State Planning Act (N.J.S.A. 52:18A-196 et seq.), the *New Jersey State Development and Redevelopment Plan*<sup>1</sup>, the Office of Planning Advocacy of the New Jersey Department of State, and the Municipal Land Use Law (N.J.S.A. 40:55D-1. et seq.).

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<sup>1</sup> *New Jersey State Development and Redevelopment Plan*, The New Jersey State Planning Commission, March 1, 2001.

**State Planning Act**

The State Planning Act (N.J.S.A. 52:18A-196 et seq.), which was adopted in 1985, establishes the framework for State policies and regulations related to smart growth principles. Among the findings and declarations of the State Legislature in the State Planning Act that serve as this framework are the following:

- *New Jersey, the nation's most densely populated State, requires sound and integrated Statewide planning and the coordination of Statewide planning with local and regional planning in order to conserve its natural resources, revitalize its urban centers, protect the quality of its environment, and provide needed housing and adequate public services at a reasonable cost while promoting beneficial economic growth, development and renewal. (N.J.S.A. 52:18A-196.a)*
- *Significant economies, efficiencies and savings in the development process would be realized by private sector enterprise and by public sector development agencies if the several levels of government would cooperate in the preparation of and adherence to sound and integrated plans. (N.J.S.A. 52:18A-196.b)*
- *It is of urgent importance that the State Development Guide Plan be replaced by a State Development and Redevelopment Plan designed for use as a tool for assessing suitable locations for infrastructure, housing, economic growth and conservation. (N.J.S.A. 52:18A-196.c)*
- *It is in the public interest to encourage development, redevelopment and economic growth in locations that are well situated with respect to present or anticipated public services and facilities, giving appropriate priority to the redevelopment, repair, rehabilitation or replacement of existing facilities and to discourage development where it may impair or destroy natural resources or environmental qualities that are vital to the health and well-being of the present and future citizens of this State. (N.J.S.A. 52:18A-196.d)*
- *Since the overwhelming majority of New Jersey land use planning and development review occurs at the local level, it is important to provide local*

*governments in this State with the technical resources and guidance necessary to assist them in developing land use plans and procedures which are based on sound planning information and practice, and to facilitate the development of local plans which are consistent with State and regional plans and programs. (N.J.S.A. 52:18A-196.f)*

- *An adequate response to judicial mandates respecting housing for low- and moderate-income persons requires sound planning to prevent sprawl and to promote suitable use of land. (N.J.S.A. 52:18A-196.h)*

Designation of the Study Area as an area in need of redevelopment would provide the City of Linden with an important opportunity to: conserve New Jersey's natural resources; protect the quality of New Jersey's environment; and, promote economic growth, development and renewal by recycling or reusing land and avoiding development where it may impair or destroy natural resources or environmental qualities that are vital to the health and well-being of the present and future residents of New Jersey.

***New Jersey State Development and Redevelopment Plan<sup>2</sup>***

The *New Jersey State Development and Redevelopment Plan*, which was adopted pursuant to the State Planning Act, contains a series of smart growth goals and policies, and mapping that reflects desired growth patterns within a series of state planning areas.

The Study Area is located in State Planning Area 1, which is defined in the *New Jersey State Development and Redevelopment Plan* and also known as the Metropolitan Planning Area. As provided in the *New Jersey State Development and Redevelopment Plan*, the Metropolitan Planning Area is intended to:

- Provide for much of the state's future redevelopment;
- Revitalize cities and towns;
- Promote growth in compact forms;

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<sup>2</sup> *New Jersey State Development and Redevelopment Plan*, The New Jersey State Planning Commission, March 1, 2001.

- Stabilize older suburbs;
- Redesign areas of sprawl; and,
- Protect the character of existing stable communities.

As is demonstrated above, designation of the Study Area as an area in need of redevelopment would be consistent with the intended purpose of the Metropolitan Planning Area.

### ***Smart Growth Areas***

The Study Area is located within an area that has been designated as a smart growth area by the New Jersey Office of Planning Advocacy. This is illustrated by the fact that the Office of Planning Advocacy of the New Jersey Department of State<sup>3</sup>, which administers the *New Jersey State Development and Redevelopment Plan*, classifies smart growth areas as one of the following:

- Metropolitan Planning Area (State Planning Area 1);
- Suburban Planning Area (State Planning Area 2);
- A designated center;
- An area identified for growth as a result of either an initial or advanced petition for plan endorsement that has been approved by the State Planning Commission;
- A smart growth area designated by the New Jersey Meadowlands Commission; or,
- A Pinelands Regional Growth Area, Pinelands Village or Pinelands Town, as designated by the New Jersey Pinelands Commission.

The Study Area is located within the Metropolitan Planning Area (State Planning Area 1). Thus, the Study Area is located within a designated smart growth area.

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<sup>3</sup> See, for example: <http://nj.gov/state/planning/spc-research-resources-sga.html>

### ***Municipal Land Use Law***

The Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) delegates planning and regulatory authority to municipalities and establishes the procedural framework for how local governments plan for the future. The Municipal Land Use Law has a number of purposes, all of which are based upon ensuring the public health, safety, welfare and morals for communities.

Designation of the Study Area as an area in need of redevelopment, and, thereby, facilitating the preparation of a redevelopment plan and subsequent redevelopment of the area, would not only be consistent with the general smart growth approach of recycling or reusing land, but also promote several purposes of the Municipal Land Use Law. Specifically, redevelopment of the subject parcel would promote the following purposes of the Municipal Land Use Law:

- *To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare. (N.J.S.A. 40:55D-2[a])*
- *To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land. (N.J.S.A. 40:55D-2[j])*
- *To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land. (N.J.S.A. 40:55D-2[m])*

### **Summary**

The Study Area meets the “d” and “h” criteria of the Local Redevelopment and Housing Law for being designated as an area in need of redevelopment.

## **Conclusion**

As indicated by the foregoing analysis, the Study Area has been found to meet the requirements of the Local Redevelopment and Housing Law for being designated in need of redevelopment when utilizing the “d” and “h” criteria. The Linden Planning Board may, therefore, recommend that the Linden City Council adopt a resolution declaring that the Study Area, or any portion thereof, is in need of redevelopment.

Once the Linden City Council has declared an area to be in need of redevelopment, the Linden Planning Board may prepare a redevelopment plan for the area. Any redevelopment plan, after review by the Linden Planning Board, would then be referred to the Linden City Council. Upon receipt of the redevelopment plan, the Linden City Council may act to adopt the plan by ordinance. The adopted redevelopment plan may then become an amendment to the city’s zoning map and ordinance or may be treated as an overlay to existing zoning. Only after adoption by ordinance may the city exercise the redevelopment powers granted by the Local Redevelopment and Housing Law. It is noted that the power of condemnation would not be available because Resolution No. 2020-349, which authorized the Linden Planning Board to undertake this redevelopment study and preliminary investigation report, specifically excludes the use of condemnation.

**Appendix A: Resolution No. 2020-349**

RESOLUTION: 2020-349

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN ON THE CITY'S TAX MAPS AS BLOCK 159, LOTS 7, 8, 9, 10, 11, AND 12 (A/K/A 611 ZIEGLER AVENUE, 300 ROSELLE STREET, 310 ROSELLE STREET, 318 ROSELLE STREET, 322 ROSELLE STREET AND 610 HUSSA STREET) SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, *et seq.*

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the "**Redevelopment Law**"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

**WHEREAS**, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the city council ("**City Council**") of the City of Linden (the "**City**") must authorize the planning board of the City (the "**Planning Board**") to conduct a preliminary investigation of the area and make recommendations to the City Council; and

**WHEREAS**, the City Council believes it is in the best interest of the City that an investigation occur with respect to certain parcels within the City and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known on the City tax maps as Block 159, Lots 7, 8, 9, 10, 11, and 12 (a/k/a 611 Ziegler Avenue, 300 Roselle Street, 310 Roselle Street, 318 Roselle Street, 322 Roselle Street and 610 Hussa Street) (hereinafter the "**Study Area**"), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment; and

**WHEREAS**, the redevelopment area determination requested hereunder, in connection with the Study Area, authorizes the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, except the power of eminent domain (hereinafter referred to as a "**Non-Condensation Redevelopment Area**").

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN, NEW JERSEY AS FOLLOWS:**

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in N.J.S.A. 40A:12A-5 to be designated as an area in need of redevelopment.

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the City or City Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a Non-Condensation Redevelopment Area.


Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the City Council as to whether the City Council should designate all or some of the Study Area as an area in need of redevelopment (non-condensation).




Section 7. This Resolution shall take effect immediately.

PASSED: December 15, 2020

  
Council President

APPROVED: December 16, 2020

  
Mayor

ATTEST:

  
City Clerk

I, JOSEPH C. BODEK, City Clerk of the City of Linden, in the County of Union and State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of the resolution adopted by the City Council of the City of Linden at a meeting held on December 15, 2020 as the same is taken from and compared with the original now remaining on file and of record in my office.

IN WITNESS WHEREOF, I have set my hand and affixed the corporate seal of the City of Linden, this 16 day of December, 2020.

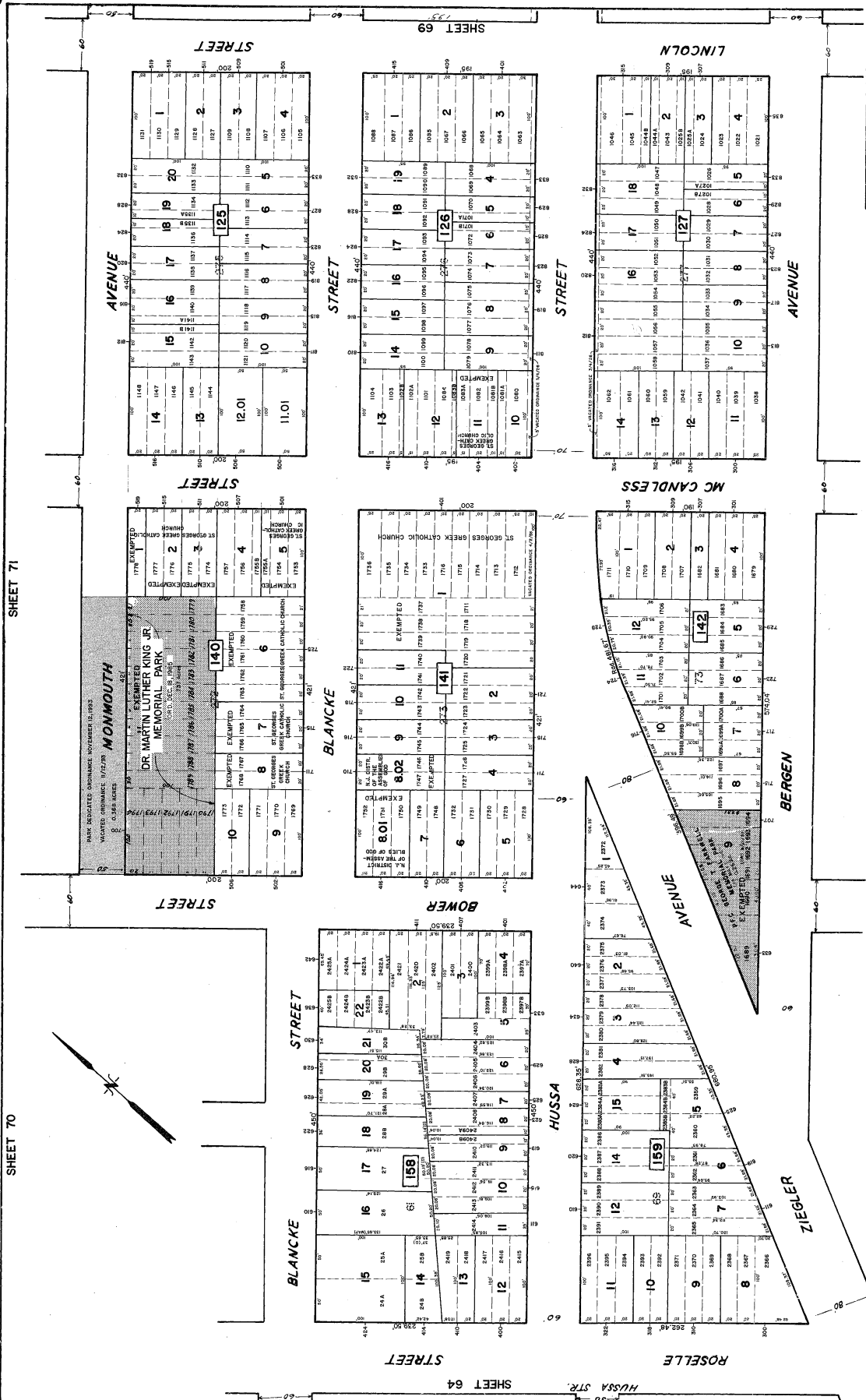
  
JOSEPH C. BODEK, City Clerk

Certified to be a true and exact copy.

  
City Clerk, City of Linden, N.J.

Date: 12/16/2020

## **Appendix B: Tax Map**



SHEET 71

SHEET 70

SHEET 69

SHEET 64

**TAX MAP**  
CITY OF LINDEN  
UNION COUNTY, NEW JERSEY  
SCALE: 1" = 50' DATE: FEBRUARY 1973  
JOHN A. ZEMAN - CITY ENGINEER  
THOMAS J. STRAPP - ASST. CITY ENGINEER

NEW BEST AVAILABLE OF THE TOWN  
PLANNING DEPARTMENT  
APPROVED AS A TAX MAP FEBRUARY 1973  
FOR THE PURPOSES OF TAXATION  
BY THE BOARD OF TAXATION  
DATE: 10/16/92 SERIAL N. 5293




The Aerial, Reproduction and Dimensions shown on this map are for information only and are not to be used for any other purpose. The City of Linden, New Jersey, is not responsible for any errors or omissions on this map.

SHEET 66

## **Appendix C: Aerial Imagery**

Aerial Imagery  
City of Linden, Union County, New Jersey



-  Study Area
-  Study Area Parcel
-  Tax Parcel (Block/Lot)

Date of Aerials: 2015



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Feet

**ricci**planning

Paul Ricci, AICP, PP  
177 Monmouth Avenue  
Atlantic Highlands, NJ 07716

908.642.0070 (Phone)  
908.350.4501 (Fax)  
paul@ricciplanning.com

## **Appendix D: Study Area Imagery**

***Redevelopment Study and Preliminary Investigation Report***  
***Block 159, Lots 7, 8, 9, 10, 11 and 12***

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***Redevelopment Study and Preliminary Investigation Report***  
***Block 159, Lots 7, 8, 9, 10, 11 and 12***

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